



**US Army Corps  
of Engineers**  
Louisville District®

# Public Notice

Public Notice No.

LRL-2017-54-dds

Date:

25 Dec 2017

Closing Date:

24 Jan 2018

Please address all comments and inquiries to:

U.S. Army Corps of Engineers, Louisville District

ATTN: Deborah Duda Snyder, CELRL-RDN, Rm 752

P.O. Box 59

Louisville, Kentucky 40201-0059

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA).

**APPLICANT:**

Ms. Sandra Bowman  
Indiana Department of Transportation  
100 North Senate Avenue, Room N641  
Indianapolis, IN 46204

**AGENT:**

Mr. Brad Shoger  
KCI Technologies, Inc.  
6983 Corporate Circle  
Indianapolis, IN 46278

**LOCATION:**

Unnamed tributaries to East Fork White Creek and jurisdictional wetlands in Bartholomew County  
Latitude: 39.04927 N  
Longitude: -85.91345 W  
7.5 Minute Quad: Jonesville Indiana

**PURPOSE:**

To add travel lanes and widen shoulders on Interstate 65 between U.S. Route 50 in Jackson County and State Route 58 in Bartholomew County, Indiana.

**DESCRIPTION OF WORK:** The applicant proposes to discharge 84.14 cubic yards (cys) of fill material below the Ordinary Highway Water mark (OHW) of 154 linear feet of ephemeral, intermittent, and perennial unnamed tributaries (UNT) to East Fork White Creek. In addition, 5,398 cys of fill material would be discharged into 11.88 acres of adjacent emergent and forested wetlands to widen Interstate 65 at two separate and complete crossings. The interstate would be widened starting at the interchange of Interstate 65 and U.S. Route 50 east of County Road 200 East in Jackson County and continue to the interchange of Interstate 65 and State Route 58 in Bartholomew County. The fill material would consist of clean earthen fill, limestone riprap, and concrete. The following table summarizes the proposed impacts to "waters of the United States" from the two crossings covered in this public notice:

Water resource	Resource type	Impact (linear feet)	Impact (acres)	Impact type
Crossing 1				
S23A, UNT East Fork White Creek	Ephemeral	46	NA	Culvert/riprap
S24, UNT East Fork White Creek	Intermittent	22	NA	Culvert/riprap
Wetland 47	Forested	NA	0.842	Road widening
Wetland 48	Emergent	NA	0.012	Road widening
Wetland 49	Emergent	NA	7.128	Road widening
Wetland 50	Emergent	NA	0.706	Road widening
Wetland 51	Emergent	NA	0.99	Road widening
Wetland 52	Emergent	NA	0.877	Road widening
Wetland 53	Forested	NA	0.022	Road widening
Total		68	10.58	
Crossing 2				
S36, UNT East Fork White Creek	Intermittent	38	NA	Culvert/riprap
S39, UNT East Fork White Creek	Ephemeral	NA	NA	Temporary
S40, UNT East Fork White Creek	Ephemeral	12	NA	Culvert/riprap
S41, UNT East Fork White Creek	Ephemeral	12	NA	Culvert/riprap
S42, UNT East Fork White Creek	Perennial	12	NA	Culvert/riprap
S43, UNT East Fork White Creek	Intermittent	12	NA	Culvert/riprap
Wetland 62	Forested	NA	0.15	Road widening
Wetland 65	Emergent	NA	0.282	Road widening
Wetland 66	Forested	NA	0.215	Road widening
Wetland 67	Emergent	NA	0.081	Road widening
Wetland 68	Forested	NA	0.551	Road widening
Total		86	1.28	

In addition to the two crossings covered by this public notice, the proposed widening of Interstate 65 would have impacts to waters of the U.S. at 17 additional separate and complete crossings. The impacts at these crossings are being processed under Indiana RGP No. 1.

#### AVOIDANCE, MINIMIZATION, AND MITIGATION MEASURES:

Impacts to streams and wetlands were unavoidable considering that the proposed project involves adding travel lanes and widening shoulders along existing Interstate 65.

The applicant minimized impacting wetlands through the inclusion of guardrails, widening the shoulders to the outside of the existing lanes and constructing the additional travel lanes in the median between the northbound and southbound lanes. Impacts to streams and wetlands were minimized to the greatest extent possible.

Mitigation would be required to compensate the proposed impacts to the streams and wetlands that result in a loss of the aquatic resource and/or their functions. The applicant proposes offsite mitigation that would consist of the enhancement of 85.4 acres of farmed wetland into 8.9 acres of emergent wetland, 15.16 acres of forested wetland, and 31 acres of scrub/shrub wetland at the Wehmiller Mitigation Site in the Muscatatuck River watershed located at latitude 38.73454°N and longitude 85.84172°W, in Scott County, Indiana. It is noted that this proposed mitigation plan is open to comment and subject to change. The Corps will make a determination of appropriate mitigation, upon review of all submitted information.

**REVIEW PROCEDURES:** A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which would be directly affected by the proposed work. If we are made aware, as a result of comments received in response to this notice, or by other means, of specific archaeological, scientific, prehistoric, or historical sites or structures which might be affected by the proposed work, the District Engineer will immediately take the appropriate action necessary pursuant to the National Historic Preservation Act of 1966 - Public Law 89-665 as amended (including Public Law 96-515).

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency (USEPA), under authority of Section 404(b) of the CWA.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other

public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory.aspx>. All comments regarding this proposal should be addressed to Ms. Deborah Duda Snyder, CELRL-RDN at the address noted above and should refer to the Public Notice Number LRL-2017-54-dds.

If you desire to submit your comments by email, you must comply with the following:

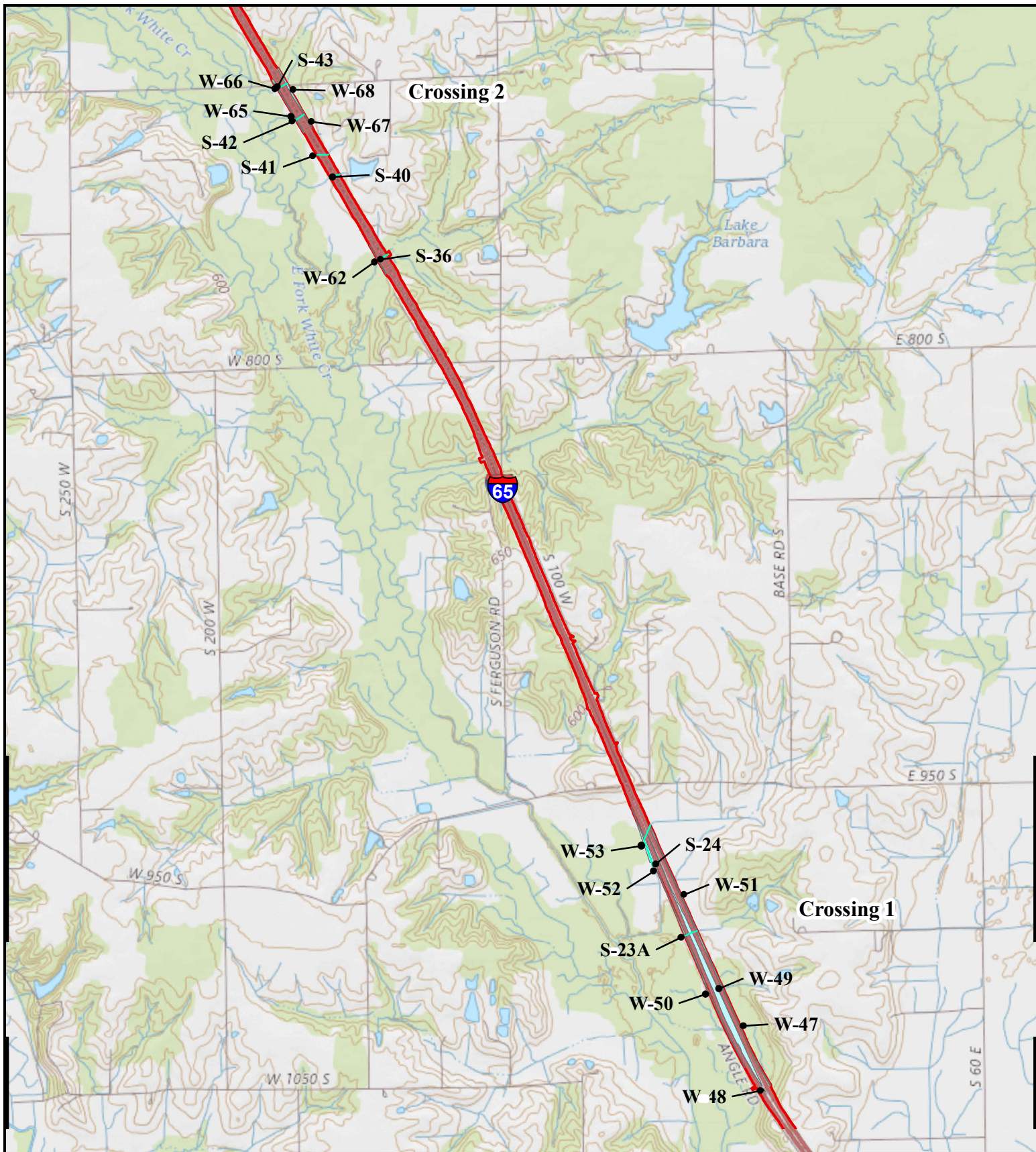
- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2017-54-dds.

Example:

Subject: LRL-2017-54-dds

- b) Provide your physical mailing address and telephone number.
- c) Send your email to: [lrl.regulatorypubliccomment@usace.army.mil](mailto:lrl.regulatorypubliccomment@usace.army.mil)
- d) If you are sending attachments greater than 1 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



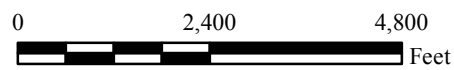


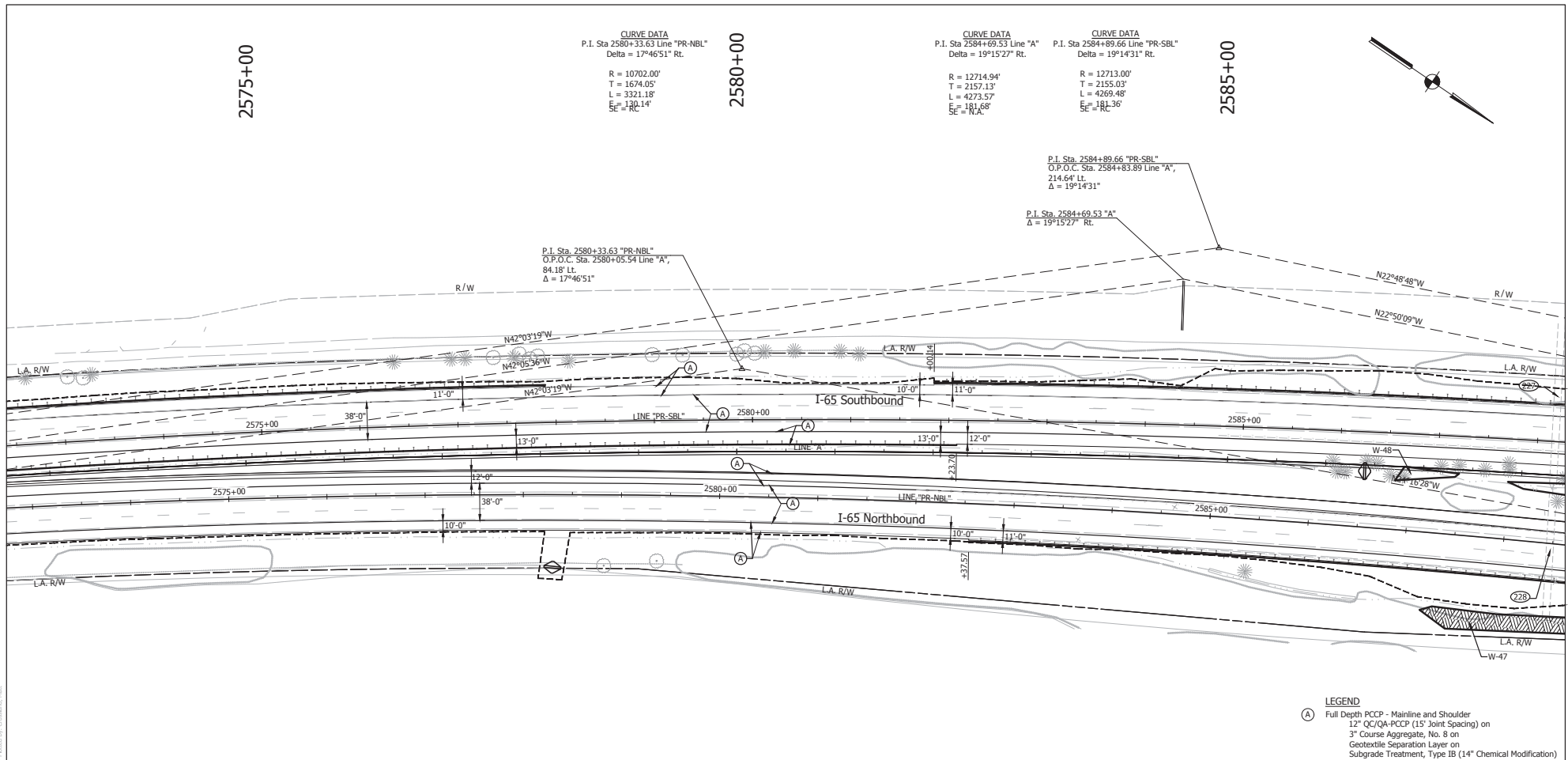
**Sheet 1 of 11**  
**Interstate 65 Added Travel Lanes**  
**USACE ID No. LRL-2017-54-DDS**  
**Project Location Map**  
**INDOT Des. No. 0501212**

Base Map: USGS 18k  
 Bartholomew County

**Legend**

Proposed Construction Limits





Sheet 2 of 11  
Interstate 65 Added Travel Lanes  
USACE ID No. LRL-2017-54-DDS  
Plan View Crossing 1  
INDOT Des No. 0501212



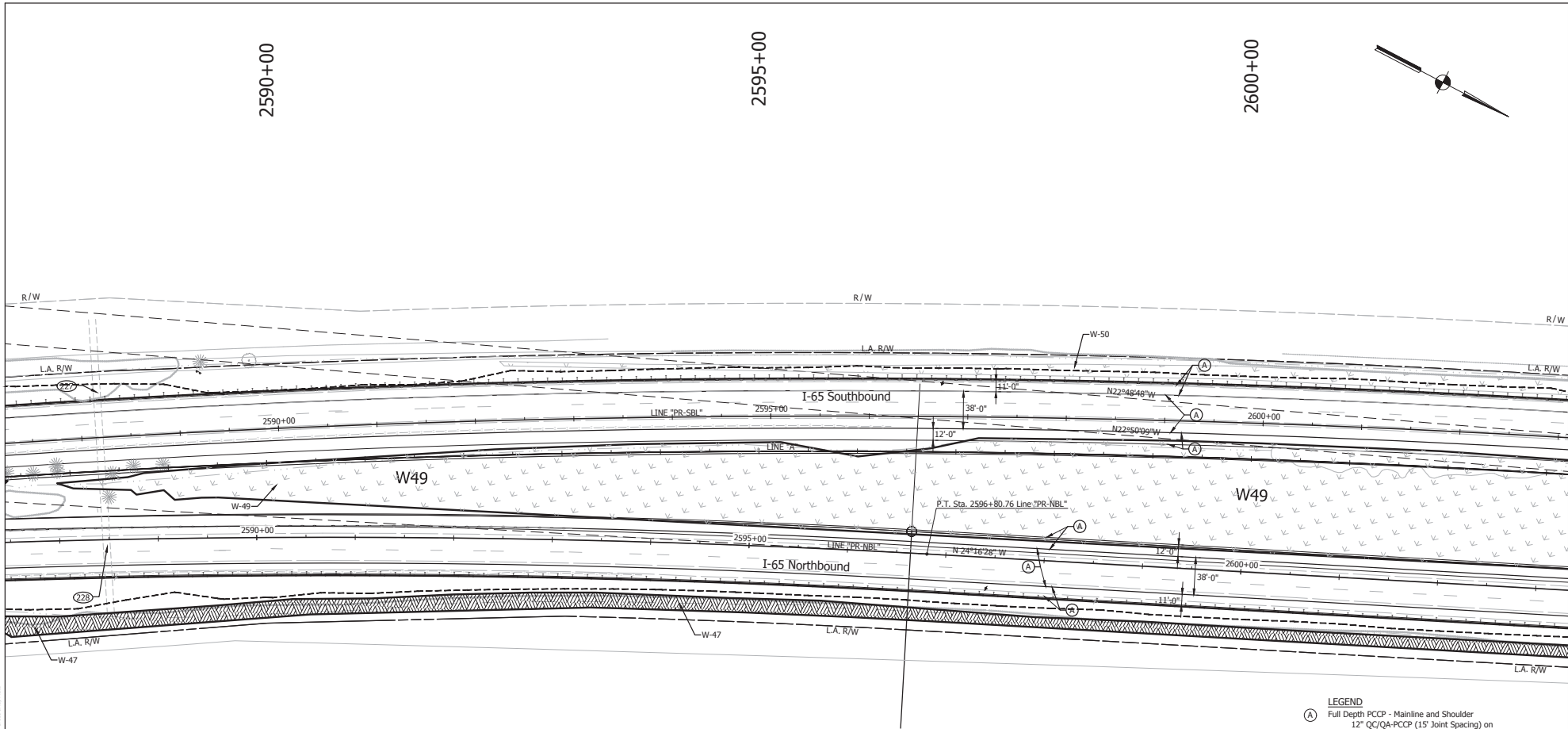
1625 N. Post Road  
Indianapolis, IN 46219  
Phone 317-895-2585  
Fax 317-895-2596  
www.uncindy.com

RECOMMENDED FOR APPROVAL	
DESIGNED: <u>SRP</u>	DRAWN: <u>MAC</u>
CHECKED: <u>BJP</u>	CHECKED: <u>BJP</u>

INDIANA DEPARTMENT OF TRANSPORTATION	
PLAN LINES "A", "PR-NBL" & "PR-SBL"	

HORIZONTAL SCALE 1" = 50'	BRIDGE FILE
VERTICAL SCALE N/A	DESIGNATION 0501212
SURVEY BOOK	SHEETS
CONTRACT R-28940	114 of 196
PROJECT	0501212





Sheet 3 of 11  
 Interstate 65 Added Travel Lanes  
 USACE ID No. LRL-2017-54-DDS  
 Plan View Crossing 1  
 INDOT Des No. 0501212

- LEGEND**
- (A) Full Depth PCP - Mainline and Shoulder  
 12" QC/QA-PCP (15' Joint Spacing) on  
 3" Course Aggregate, No. 8 on  
 Geotextile Separation Layer on  
 Subgrade Treatment, Type 1B (14" Chemical Modification)
  - (K1) HMA Full Depth - Shoulder  
 220#/sys QC/QA-HMA, 3, 70, Surface, 12.5 mm on  
 1540#/sys QC/QA-HMA, 2, 64, Base, 25.0mm (3 lifts) on  
 3" Course Aggregate, No. 43, Base on  
 Geotextile Separation Layer on  
 Subgrade Treatment, Type 1B (14" chemical modification)
  - (R) Mill and Resurface
  - Gaurdrail, W-Beam
  - - - Construction Limits
  - ◊ Detention Berm
- NOTE: All stations from Line "A" unless

NOTE: Only non-permitted wetlands shown.

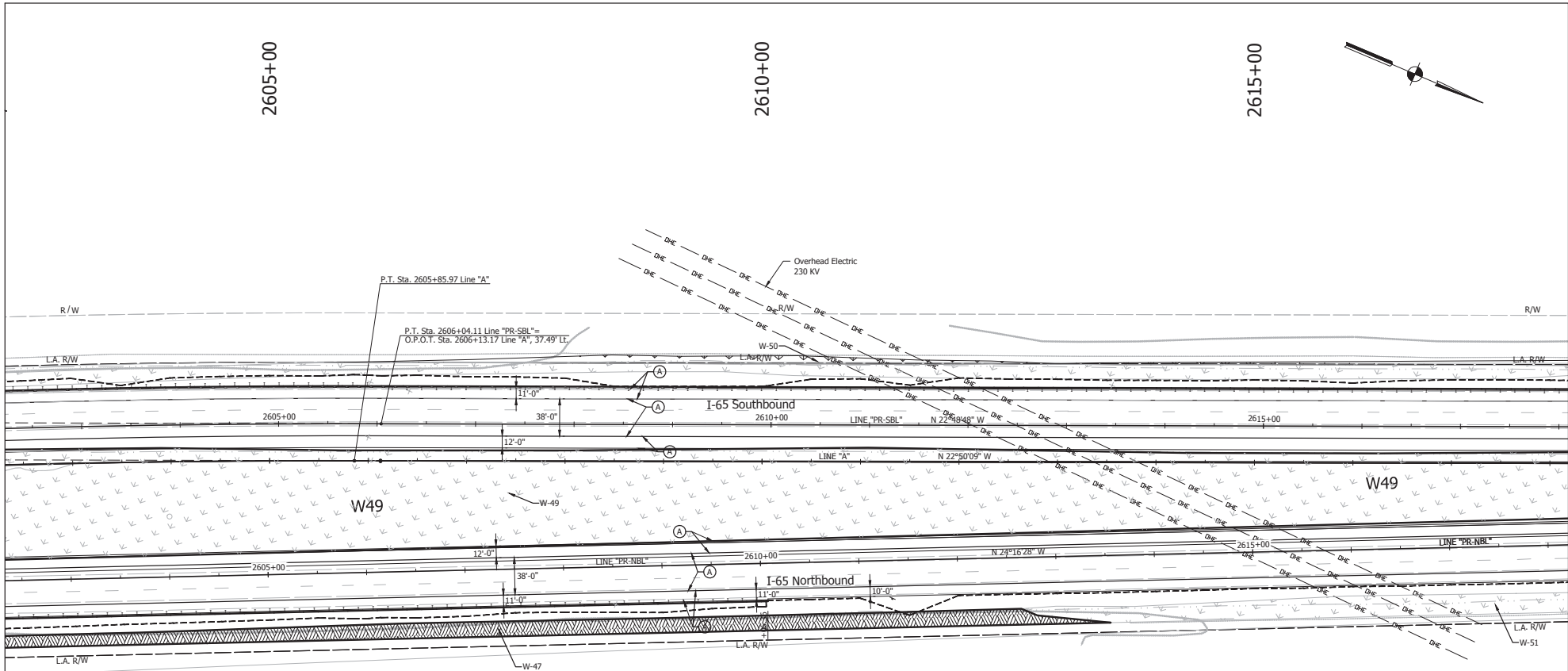


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INDIANA DEPARTMENT OF TRANSPORTATION	
PLAN	
LINES "A", "PR-NBL" & "PR-SBL"	

HORIZONTAL SCALE	NOTED	BRIDGE FILE
VERTICAL SCALE	1" = 50'	DESIGNATION
	N/A	0501212
SURVEY BOOK		SHEETS
	116	of 196
CONTRACT	R-28940	PROJECT
		0501212



- LEGEND**
- (A) Full Depth PCCP - Mainline and Shoulder  
12" QC/QA-PCCP (15' Joint Spacing) on  
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Sheet 4 of 11  
 Interstate 65 Added Travel Lanes  
 USACE ID No. LRL-2017-54-DDS  
 Plan View Crossing 1 -  
 INDOT Des No. 0501212 -



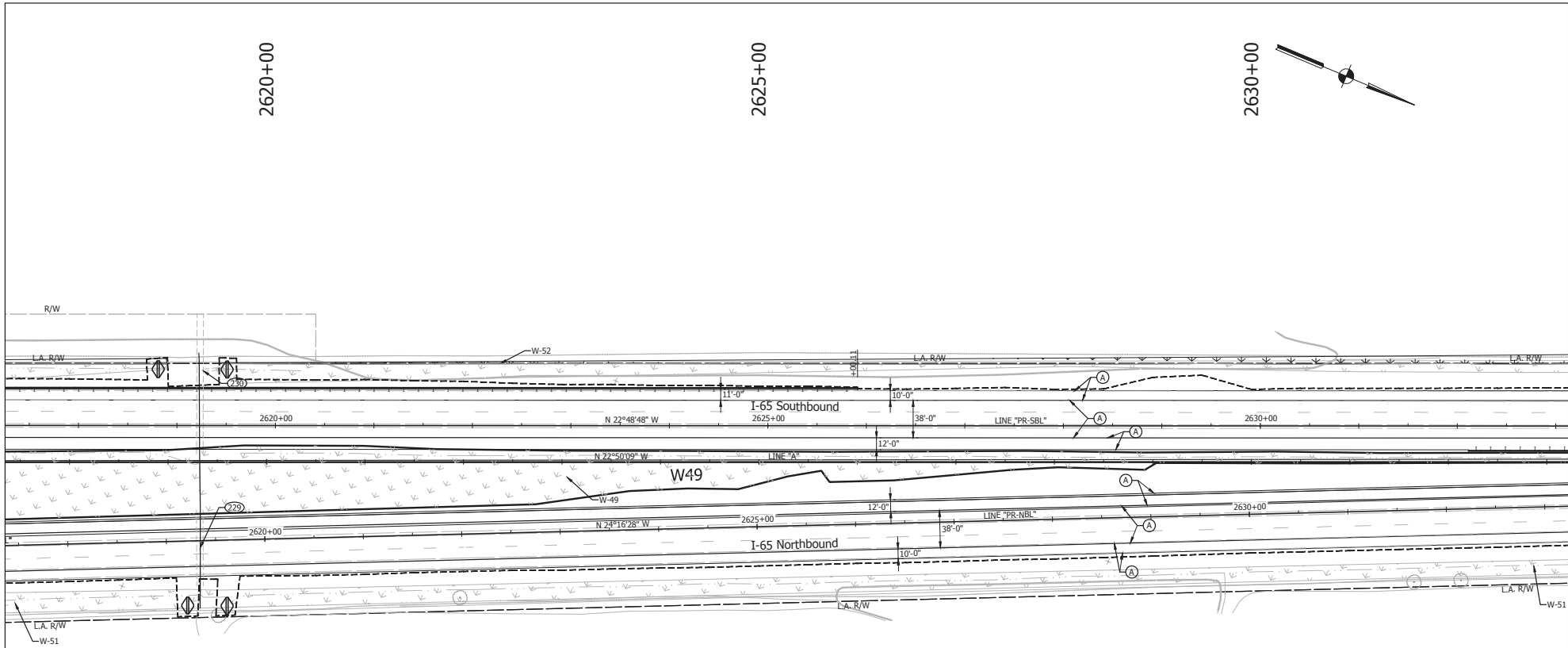
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INDIANA DEPARTMENT OF TRANSPORTATION	
PLAN LINES "A", "PR-NBL" & "PR-SBL"	

HORIZONTAL SCALE NOTED	BRIDGE FILE
1" = 50'	-
VERTICAL SCALE	DESIGNATION
N/A	0501212
SURVEY BOOK	SHEETS
-	118 of 196
CONTRACT	PROJECT
R-28940	0501212





Sheet 5 of 11  
Interstate 65 Added Travel Lanes  
USACE ID No. LRL-2017-54-DDS  
Plan View Crossing 1  
INDOT Des No. 0501212

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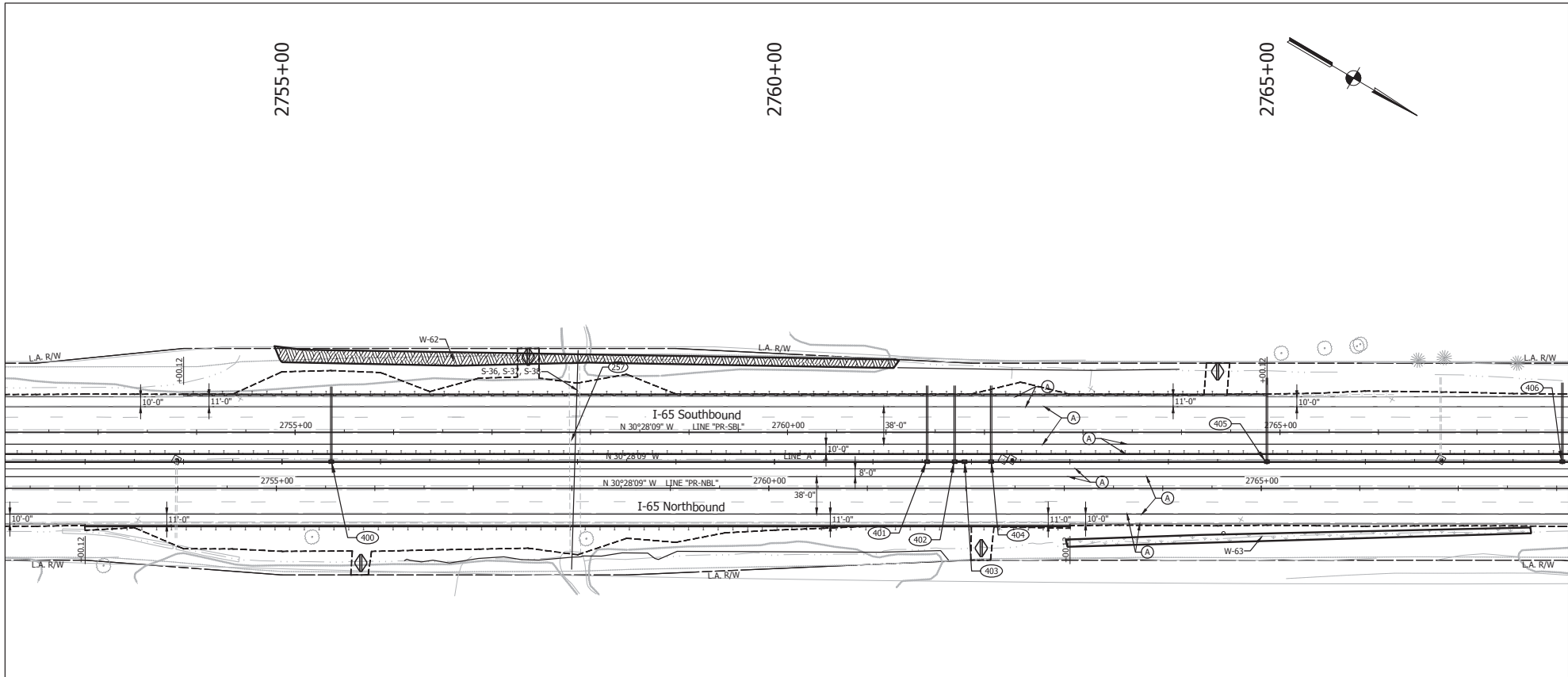
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INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN  
LINES "A", "PR-NBL" & "PR-SBL"

HORIZONTAL SCALE	VERTICAL SCALE	DESIGNATION
1" = 50'	N/A	0501212
SURVEY BOOK	SHEETS	
	120 of 196	
CONTRACT	PROJECT	
R-28940	0501212	







Sheet 7 of 11  
Interstate 65 Added Travel Lanes  
USACE ID No. LRL-2017-54-DDS  
Plan View Crossing 2 -  
INDOT Des No. 0501212 -

- LEGEND**
- (A) Full Depth PCCP - Mainline and Shoulder  
12" QC/QA-PCCP (15' Joint Spacing) on  
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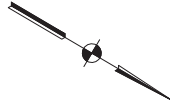
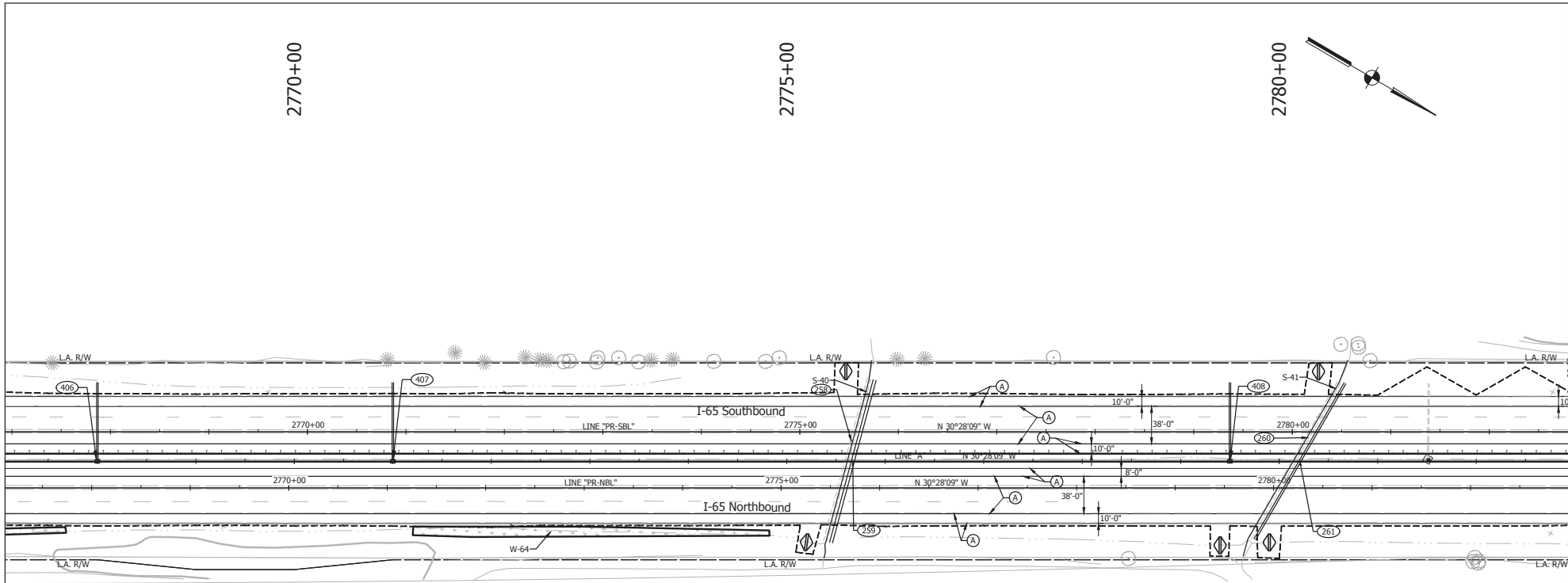
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INDIANA  
DEPARTMENT OF TRANSPORTATION

PLAN  
LINES "A", "PR-NBL" & "PR-SBL"

HORIZONTAL SCALE	NOTED	BRIDGE FILE
1" = 50'		
VERTICAL SCALE		DESIGNATION
N/A		0501212
SURVEY BOOK		SHEETS
	138	of 196
CONTRACT		PROJECT
R-28940		0501212

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Sheet 8 of 11  
Interstate 65 Added Travel Lanes  
USACE ID No. LRL-2017-54-DDS  
Plan View Crossing 2  
INDOT Des No. 0501212

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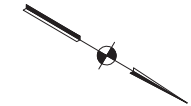
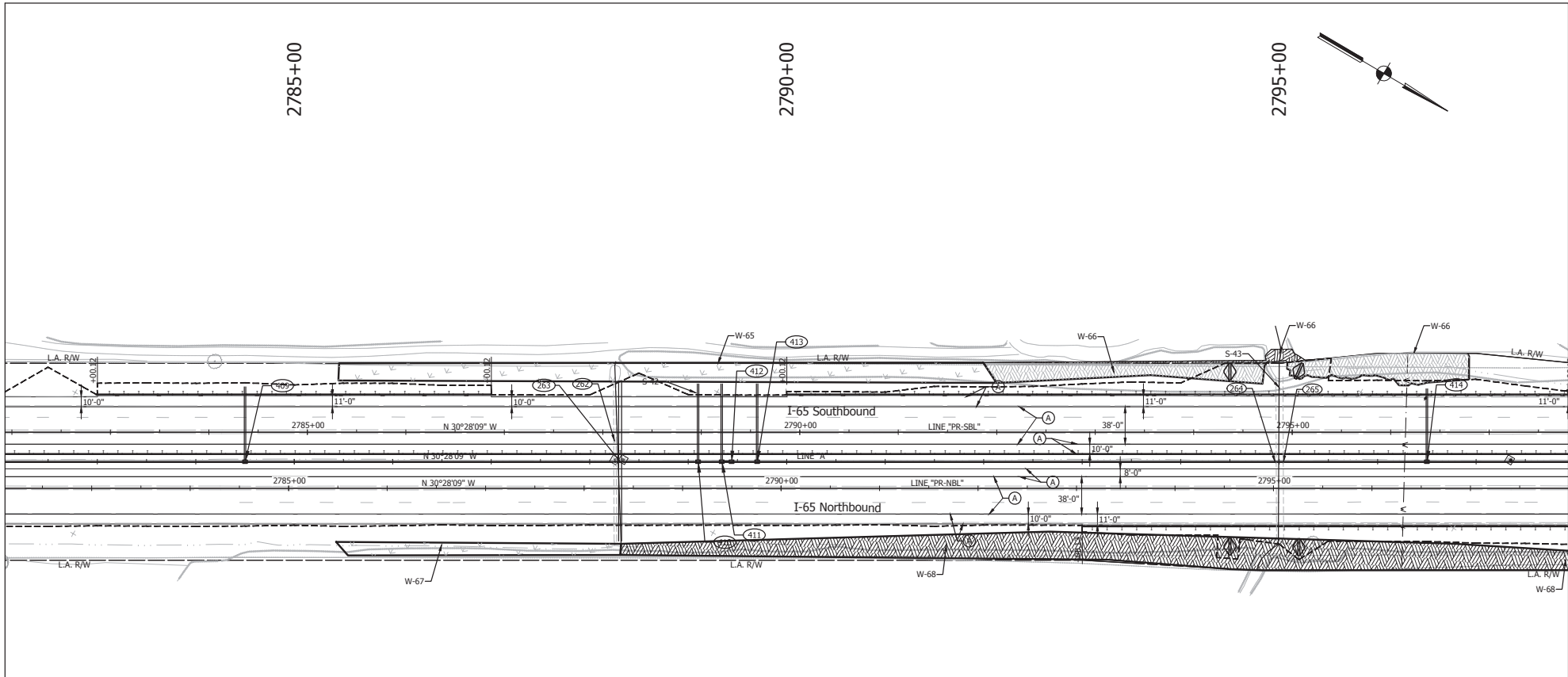


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PLAN LINES "A", "PR-NBL" & "PR-SBL"	



HORIZONTAL SCALE 1" = 50'	BRIDGE FILE -
VERTICAL SCALE N/A	DESIGNATION 0501212
SURVEY BOOK -	SHEETS 140 of 196
CONTRACT R-28940	PROJECT 0501212



Sheet 9 of 11  
 Interstate 65 Added Travel Lanes  
 USACE ID No. LRL-2017-54-DDS  
 Plan View Crossing 2  
 INDOT Des No. 0501212

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<div><p><b>E&amp;B PAVING, Inc.</b> <small>World Class Paving at a Local Level™</small></p></div> <div><p><b>UNITED</b> Consulting</p></div> <div><p>1625 N. Post Road Indianapolis, IN 46219 Phone 317-895-2585 Fax 317-895-2596 www.ucindy.com</p></div>	<div>RECOMMENDED FOR APPROVAL _____</div> <div>DESIGN ENGINEER _____ DATE _____</div>	<div>INDIANA DEPARTMENT OF TRANSPORTATION</div> <div>PLAN LINES "A", "PR-NBL" &amp; "PR-SBL"</div>	<div>HORIZONTAL SCALE NOTED</div> <div>BRIDGE FILE -</div>
	<div>DESIGNED: <u>SRP</u></div> <div>DRAWN: <u>MAC</u></div>		<div>VERTICAL SCALE 1" = 50'</div> <div>DESIGNATION N/A</div>
	<div>CHECKED: <u>BJP</u></div> <div>CHECKED: <u>BJP</u></div>		<div>SURVEY BOOK -</div> <div>SHEETS 142 of 196</div>
			<div>CONTRACT R-28940</div> <div>PROJECT 0501212</div>





Sheet 10 of 11

Interstate 65 Added Travel Lanes USACE  
ID No. LRL-2017-54-DDS  
Mellencamp Mitigation Site Location Map  
INDOT Des No. 0501212

Map created: 9/17/2017  
Imagery: NAIP 2016

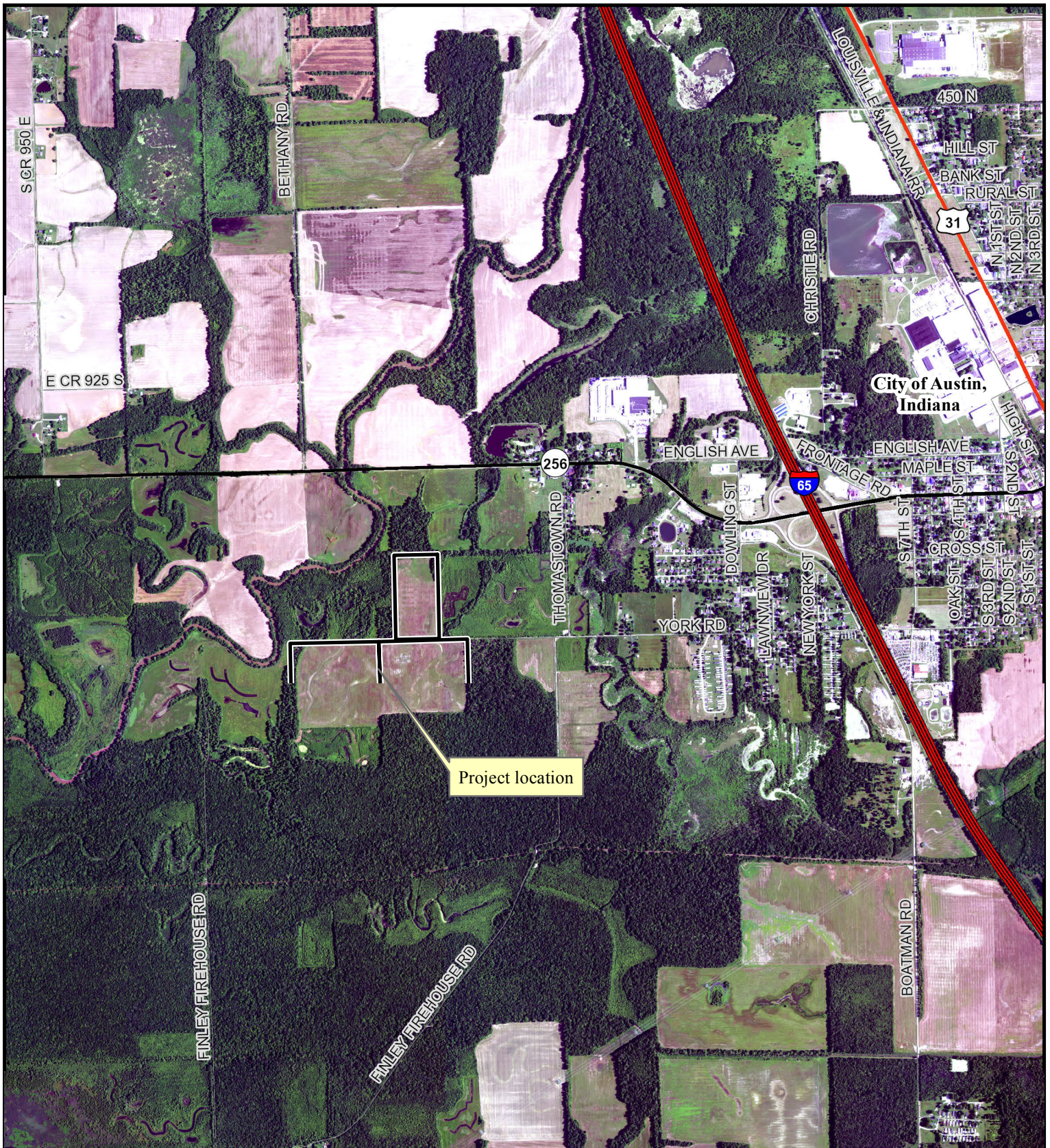
## Legend

 Property Boundary

0 1,250 2,500 5,000 Feet







Sheet 11 of 11

Interstate 65 Added Travel Lanes USACE  
ID No. LRL-2017-54-DDS  
Wehmiller Mitigation Site Location Map  
INDOT Des No. 0501212

Map created: 9/17/2017  
Imagery: NAIP 2016

### Legend

 Property Boundary

0 1,000 2,000 4,000  
Feet

